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Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**EDL**

5 07 70261

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
THOMAS DAVID HAGBERG, )  
 )  
Defendant. )  
 )  
 )

CRIMINAL NO.

NOTICE OF PROCEEDINGS ON  
OUT-OF-DISTRICT CRIMINAL  
CHARGES PURSUANT TO RULES  
5(c)(2) AND (3) OF THE FEDERAL RULES  
OF CRIMINAL PROCEDURE

Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal  
Procedure that on May 1, 2007, the above-named defendant was arrested based upon an arrest  
warrant (copy attached) issued upon an

☐ Indictment

☐ Information

☐ Criminal Complaint

X Other (describe): Violation of Supervised Release, 18 U.S.C. § 3583  
pending in the Eastern District of California, Case Number 00CR05371-01 OMW.

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1 In that case, the defendant is charged with a violations of Title 18, United States Code,  
2 Section 3583.

3 Description of Charges: 18 U.S.C. § 3583 — Violation of Supervised Release.

4 Respectfully Submitted,

5 SCOTT N. SCHOOLS  
6 UNITED STATES ATTORNEY

7  
8 Date: May 2, 2007

9   
KYLE F. WALDINGER  
Assistant U.S. Attorney

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

USA,

v.

WARRANT FOR ARREST

THOMAS DAVID HAGBERG,

RECEIVED  
Case Number 1:00-cr-05371-OWW  
MAY 01  
'07 APR 31 AM 11:19

To: The United States Marshal  
and any Authorized United States Officer

EASTERN DISTRICT  
OF CALIFORNIA  
Thomas David Hagberg,

YOU ARE HEREBY COMMANDED to arrest

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☒ Indictment ☐ Information ☒ Violation Petition ☐ Other

charging him or her with (brief description of offense)

Violation of Supervised Release

In violation of Title 15 United States Code, Section(s) 3513

T. Lundstrom

Deputy Clerk

Name of Issuing Officer

Title of Issuing Officer

4/27/07

resno

Signature of Issuing Officer

Date and Location

Bail fixed at \$No Bail

by Judge Oliver W. Wanger

RETURN

This warrant was received and executed with the arrest of the above-named defendant

Date Received

Name and Title of Arresting Officer

Date of Arrest

Signature of Arresting Officer

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

PETITION FOR WARRANT OR SUMMONS FOR  
OFFENDER UNDER SUPERVISION

Offender Name: Thomas David Hagberg

Docket Number: 1:00CR05371-01 OWW

Offender Address: Sebastopol, California

Judicial Officer: Honorable Oliver W. Wanger  
Senior United States District Judge  
Fresno, California

Original Sentence Date: July 21, 2003

Original Offense: Counts 1, 2, 3, and 4: 18 USC 876, Mailing Threatening  
Communications (CLASS D FELONY)

Original Sentence: 46 months Bureau of Prisons, 36 months supervised  
release, \$400 special assessment, and mandatory  
testing.

Special Conditions: 1) Search and seizure; 2) Drug and alcohol treatment;  
3) Drug and alcohol testing 4) Mental health treatment;  
5) Copayment; 6) Submit to DNA; 7) No contact with  
victims.

Type of Supervision: Supervised Release

Supervision Commenced: 12/08/2006

Assistant U.S. Attorney: Vania L. Santos Telephone: (559) 497-4000

Defense Attorney: Eugene P. Harris Telephone: (213) 625-3900

I hereby attest and certify on 4/27/07  
that the foregoing document is a full, true  
and correct copy of the original on file in my  
office and in my legal custody.

VICTORIA C. MINOR

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

Deputy

Rev. 02/2007  
VIOLATION PETITION  
(PD0812G)MRO

**RE: HAGBERG, Thomas David**  
**Docket Number: 1:00CR05371-001**  
**PETITION FOR WARRANT OR SUMMONS**  
**FOR OFFENDER UNDER SUPERVISION**

**Other Court Action:**

12/08/2006: Re-sentenced pursuant to Ninth Circuit remand in accordance with United States v. Ameline. Sentenced to 29 months Bureau of Prisons, credit for time served.

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**PETITIONING THE COURT**

- (X) TO ISSUE A WARRANT  
 ( ) TO ISSUE A SUMMONS  
 ( ) OTHER:

The probation officer alleges the offender has violated the following condition(s) of supervision:

**Charge Number    Nature of Violation**

**Charge 1: FAILURE TO PARTICIPATE IN MENTAL HEALTH TREATMENT**

On April 23, 2007; April 24, 2007; and April 25, 2007, the releasee failed to attend his scheduled office appointments with mental health practitioners as directed by the probation officer; a violation of special condition No. 4, "As directed by the probation officer, the defendant shall participate in a program of mental health treatment (inpatient or outpatient)."

**Justification:** On December 5, 2006, the releasee was re-sentenced to 29 months in the Bureau of Prisons and was released on this date to commence supervision. Due to family ties in the Northern District of California, the releasee relocated to his father's residence in Sebastopol, California. Since his release from custody, United States Probation Officer Sharon A. Alberts (USPO Alberts), has worked closely with the releasee and has contracted mental health treatment providers to secure appropriate treatment for the releasee. According to USPO Alberts, the releasee initially appeared receptive to

RE: HAGBERG, Thomas David  
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treatment; however, in recent weeks, his mental health has significantly deteriorated. On April 14, 2007, he was treated as a psychiatric emergency patient pursuant to California Health and Safety Code Section 5150, following an incident where he rationalized that eating a creosote log would be an effective treatment for his declining mental health. Additionally, the releasee has refused to take his psychiatric medication on several occasions, stating he fears the side effects. USPO Alberts has directed the releasee to appear to his scheduled appointments with a psychiatrist to no avail. The releasee has provided no reason to the probation officer for his nonappearances and simply refuses to comply with her directives.

Considering the releasee's criminal history and the severity of his mental health condition, his probation officer is requesting the Court issue a warrant for his arrest. The releasee's failure to address his mental health issues presents a danger not only to the releasee, but to the community. It is recommended the releasee remain detained pending disposition in the instant matter.

**Bail/Detention:** It is recommended a No-Bail warrant be issued and the Court to detain the releasee pending disposition as he is deemed a risk to public safety and to himself.

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I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED ON: April 26, 2007  
Fresno, California

Respectfully submitted,

/s/ Marlene K. DeOrion

MARLENE K. DEORIAN  
United States Probation Officer  
Telephone: 559-499-5729

REVIEWED BY: Bruce A. Vasquez  
**BRUCE A. VASQUEZ**  
Supervising United States Probation Officer

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**THE COURT FINDS PROBABLE CAUSE AND ORDERS:**

- ( X ) The issuance of a warrant ( ) Bail set at \$ \_\_\_\_ ( X ) No Bail  
( ) The issuance of a summons (copy to Defense Counsel)  
( ) Other:

**FURTHER PROCEEDINGS REGARDING CUSTODY:**

- ( X ) Defendant is ordered detained, to be brought before District Judge forthwith.  
( ) Initial appearance and detention hearing before Magistrate Judge.

IT IS SO ORDERED.

Dated: April 27, 2007

/s/ Oliver W. Wenger

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UNITED STATES DISTRICT JUDGE